

TITLE 2: PUBLIC MORALS, SAFETY AND WELFARE
DIVISION 4: DISORDERLY CONDUCT, PLACES AND PUBLICATIONS
Chapter 3: BLINDER RACKS.

Sections:

- | | |
|--------|-------------------------------|
| 24.031 | Definitions. |
| 24.032 | Requirement of Blinder Racks. |
| 24.033 | Penalty. |
| 24.034 | Severability. |

24.031 Definitions.

Unless otherwise stated, words and terms are defined as follows:

- (a) EXHIBIT means to show.
- (b) HARMFUL MATTER means matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest, and is matter which, taken as a whole, depicts or describes in a patently offensive way sexual conduct and which, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- (c) KNOWINGLY means being aware of the character of the matter.
- (d) MATTER means any book, magazine, newspaper, video recording, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription, or mechanical, chemical, or electrical reproduction or any other articles, equipment, machines, or materials. MATTER also includes live or recorded telephone messages when transmitted, disseminated, or distributed as part of a commercial transaction.
- (e) MINOR means any natural person under 18 years of age.
- (f) PERSON means any individual, partnership, firm, association, corporation, or other legal entity.

Adopted Ordinance 3412 (1990);

24.032 Requirement of Blinder Racks.

No material which is harmful to minors shall be displayed in any public place, other than a public place from which minors are excluded, unless "blinder racks" are placed in front of the material, so that the lower two-thirds (2/3) of the material is not exposed to view.

Adopted Ordinance 3412 (1990);

24.033 Penalty.

Any person who violates this chapter is guilty of a misdemeanor, punishable in accordance with the provisions of Chapter 2 of Division 1 of Title 1 of this Code.

Adopted Ordinance 3412 (1990);

24.034 Severability.

If any phrase, clause, sentence, section or provision of this chapter or application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other phrase, clause, sentence, section, provision, or application of this chapter, which can be given effect without the invalid phrase, clause, sentence, section, provision or application and to this end the provisions of this chapter are declared to be severable.

Adopted Ordinance 3412 (1990);